

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LINDSAY GAMBIT,

Plaintiff,

v.

BELLAGIO, LLC, et al.,

Defendants.

Case No. 2:14-cv-00687-JCM-PAL

ORDER

(Mtn to WD – Dkt. #35)

This matter is before the court on the Motion to Withdraw as Counsel (Dkt. #35) filed October 29, 2014. Mark R. Thierman, Joshua D. Buck, and Leah L. Jones seek to withdraw as counsel of record for Plaintiff Lindsay Gambit. The court has considered the Motion.

The Motion represents that irreconcilable differences have arisen between Plaintiff and her counsel that require counsel to withdraw. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” LR IA 10-6(e). Plaintiff filed her complaint in state court, and Defendants removed it to this court on May 2, 2014. *See* Petition for Removal (Dkt. #1). On October 10, 2014, the parties filed a Stipulation (Dkt. #33) seeking to vacate the hearing on the Motions to Dismiss (Dkt. ##27, 28) because they had reached a tentative settlement. In an Order (Dkt. #34) entered October 20, 2014, the court approved the Stipulation and directed the parties to file a stipulation of dismissal or a joint status report about their settlement no later than November 17, 2014.

On November 17, 2014 the parties filed separate status reports (Dkt ## 37 &38) indicating that Plaintiff has signed a settlement agreement resolving this case, negotiated a resolution of her state criminal charges and had entered into a stipulation with the State of Nevada for a compromise of seized property. Now that the agreement has been signed and the

1 terms on the record in state court the parties will work with the Las Vegas Metropolitan Police
2 Department to have the forfeited funds released to the Bellagio. When this happens a stipulation
3 for dismissal with prejudice will be filed in this case.

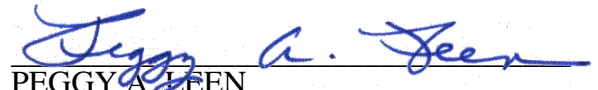
4 Having reviewed and considered the matter, and good cause appearing,

5 **IT IS ORDERED:**

- 6 1. The Motion to Withdraw as Counsel (Dkt. #35) is GRANTED.
- 7 2. The parties shall have until **December 17, 2014**, to file a stipulation of dismissal
8 or a joint status report advising the court when it will be filed.
- 9 3. In the event a stipulation of dismissal is not filed, Plaintiff Lindsay Gambit shall
10 have until **December 17, 2014**, in which to either retain new counsel who shall
11 file a notice of appearance in accordance with the Local Rules of Practice or to
12 file a statement that she will proceed pro se.
- 13 3. Failure to comply with this order may result in a recommendation to the district
14 judge for sanctions, including case-dispositive sanctions.
- 15 4. The Clerk of Court shall serve a copy of this Order on at:

16 Plaintiff Lindsay Gambit
17 54 Evvie Court
Henderson, NV 89012

18 Dated this 17th day of November, 2014.

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22 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE
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